MAR 10 1955
HAROLD B. WILLEY, Clerk

No. 394

IN THE

Supreme Court of the United States

OCTOBER TERM, 1954

IN THE MATTER OF APPLICATION OF BEN G. LEVY FOR ADMISSION TO PRACTICE IN UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF TEXAS, PETITIONER

On Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

MOTION OF HOUSTON BAR ASSOCIATION FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE

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ALPHA LAW BRIEF CO., 402 M & M BLDG., HOUSTON 2

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Houston Bar Association hereby respectfully moves for leave to file a brief Amicus Curiae in this case. The consent of the attorney for the Petitioner was requested but refused.

The interest of the Houston Bar Association in this case lies in its recognition of its duty to the Courts and to the general public to maintain and preserve the highest ideals and standards for the legal profession. In recognition of

that responsibility, members of the Houston Bar Association have assisted the Judges of the United States District Court for the Southern District of Texas in examining the qualifications of all applicants for admission to its Bar. Such an examination was made in connection with the application of the Petitioner herein who was denied admission to Bar membership.

The Petitioner has contended that the order of the District Court Judges denying his admission to Bar membership violated due process of law and invaded certain of his constitutional rights, but he has not denied the right of a court to impose reasonable standards of professional competence and high moral character as requisites for admission to its Bar. It is believed that the brief which Amicus Curiae is requesting permission to file will assist in bringing the constitutional issue into proper focus.

Since no one will appear in support of the action of the District Court and the order of the Court of Appeals unless movant is permitted to file its brief Amicus Curiae, it is submitted that the administration of justice would be assisted by granting this motion.

Respectfully submitted,

LEROY DENMAN MOODY
TOM MARTIN DAVIS
FRANK J. KNAPP
Attorneys for Houston Bar Association

Proof of Service

I, John A. MacDonald, Jr., an attorney in the office of Messrs. Leroy Denman Moody and Tom Martin Davis, attorneys of record for Houston Bar Association, certify that on the 9th day of March, 1955, I served a copy of this Motion on Bernard A. Golding, Esq., counsel of record for Petitioner Ben G. Levy, by delivering the same to the receptionist in his office at 432 Niels Esperson Building, Houston 2, Texas.

John A. MacDonald, Jr.
JOHN A. MACDONALD, JR.

Subscribed and sworn to before me at Houston, Texas, this 9th day of March, 1955.

Irene Outwin
Irene Outwin,
Notary Public in and for
County of Harris,
State of Texas.